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Attorneys for Plaintiff  
YINTAO YU

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**

YINTAO YU, an individual,

Plaintiff,

v.

BYTEDANCE, INC., a Delaware  
Corporation; SHUYI (SELENE) GAO, an  
individual,

Defendants.

BYTEDANCE, INC., a Delaware  
Corporation,

Counterclaimant,

v.

YINTAO YU, an individual,

Counter-Defendant.

Case No. 3:23-cv-04910-SI

**PLAINTIFF/COUNTER-DEFENDANT  
YINTAO YU'S NOTICE OF INTENT TO  
SEEK LEAVE OF COURT TO FILE A  
MOTION FOR RECONSIDERATION**

*State Action Filed: September 5, 2023*  
*Removed: September 25, 2023*  
*Trial Date: November 18, 2024*

1 Plaintiff Yintao Yu (“Plaintiff”) notifies the Court of his intent to file a Motion for Leave to  
2 File a Motion for Reconsideration of the Order re: Discovery (ECF No. 78) pursuant to Local Rule  
3 7-9, and responds to ByteDance’s Notice of Non-Compliance (ECF No. 80) as follows:

4 The Court should disregard ByteDance’s improper notice and allow Plaintiff to file a motion  
5 for leave pursuant to Local Rule 7-9. Plaintiff will move for leave to file a motion for  
6 reconsideration of the Court’s Order dated May 3, 2024 (ECF No. 78). He seeks for leave so he may  
7 demonstrate that disclosing the declarant’s identity to ByteDance poses a risk to the declarant’s  
8 safety and well-being. Plaintiff will also explain why the declarant’s identity should not be disclosed  
9 to ByteDance’s counsel pending a ruling on the motion.

10 Yesterday, Plaintiff informed ByteDance of his intent to file a motion for leave. Plaintiff  
11 assured ByteDance he would file the motion promptly, so as not to prolong the dispute. Plaintiff also  
12 notified ByteDance that he would withhold the identity and other information about the declarant  
13 until exercising his right to seek reconsideration. The motion would be limited in scope, as the  
14 Parties have met and conferred to coordinate a forensic imaging of the USB device and scheduling  
15 the deposition of Plaintiff on June 7 or June 10, which were the remaining items that were subject to  
16 the Court’s May 3rd Order.

17 Despite this notice to ByteDance, they rushed to file its improper notice, presumably to  
18 undercut Plaintiff’s motion. The Court should therefore disregard ByteDance’s notice and permit  
19 Plaintiff to file his motion for leave in due course.

20  
21 DATED: May 10, 2024

22 Respectfully submitted,  
23 NASSIRI & JUNG LLP

24 By: /s/ Jaime Dorenbaum

25 Jaime Dorenbaum  
26 Attorneys for Plaintiff  
27 YINTAO YU  
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